



Entered on Docket
February 18, 2011

Hon. Linda B. Riegle
United States Bankruptcy Judge

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U.S. Bank, National Association
10-71136

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

<p>In Re:</p> <p>Octavio Gutierrez and Maria T. Gutierrez</p>	<p>Bk Case No.: 10-11910-lbr</p> <p>Date: February 9, 2011 Time: 10:30 a.m.</p> <p>Chapter 13</p>
<p>Debtors</p>	

ORDER VACATING AUTOMATIC STAY

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to

Secured Creditor U.S. Bank, National Association, its assignees and/or successors in interest, of the subject property, generally described as 9719 Running Rabbit St, Las Vegas, NV 89143.


IT IS FURTHER ORDERED, ADJUDGED and DECREED that Secured Creditor must record a new Notice of Default prior to proceed with foreclosure.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtors at least seven business days' notice of the time, place and date of sale.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the foreclosure sale.

Submitted by:

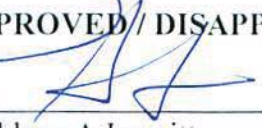
WILDE & ASSOCIATES

By:  #10235
Gregory L. Wilde, Esq.
Attorney for Secured Creditor

APPROVED / DISAPPROVED

By: _____
David Krieger
Attorney for Debtor(s)

APPROVED / DISAPPROVED

By: 
Kathleen A Leavitt
Chapter 13 Trustee

1 ALTERNATIVE METHOD re: RULE 9021:

2 In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately
3 reflects the court's ruling and that (check one):

4 ☐ The court has waived the requirements set forth in LR 9021(b)(1).

5 ☐ No party appeared at the hearing or filed an objection to the motion.

6 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and
7 any trustee appointed in this case any unrepresented parties who appeared at the hearing,
8 and each has approved or disapproved the order, or failed to respond, as indicated below.

9 Debtor's counsel:

10 ☐ approved the form of this order ☐ disapproved the form of this order

11 ☐ waived the right to review the order and/or ☒ failed to respond to the document

12 ☐ appeared at the hearing, waived the right to review the order

13 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

14 Trustee:

15 ☒ approved the form of this order ☐ disapproved the form of this order

16 ☐ waived the right to review the order and/or ☐ failed to respond to the document

17
18
19 ☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the
20 motion pursuant to LR 9014(g), and that no party has objected to the form or content of the
21 order.

22 I declare under penalty and perjury that the foregoing is true and correct.

23 Submitted by:

24 /s/ Gregory L. Wilde, Esq.

25 Gregory L. Wilde, Esq.

26 Attorney for Secured Creditor